

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ANNETTE JACKSON,

Plaintiff,

v

Case No. 08-12522

COMMISSIONER OF SOCIAL
SECURITY,

DISTRICT JUDGE ARTHUR J. TARNOW

Defendant.

MAG. JUDGE CHARLES E. BINDER

/

ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Before the Court is Magistrate Judge Binder's Report and Recommendation [Docket #15-1] filed January 14, 2009. The Magistrate Judge recommends pursuant to the parties' stipulation that this Court remand the case for futher proceedings pursuant to the fourth sentence of 42 U.S.C. § 405(g) to allow the Administrative Law Judge to consider Plaintiff's mental impairment under 20 C.F.R. § 404.1520a and 416.920a, and to reconsider Plaintiff's residual functional capacity

Having reviewed the file, the Report and Recommendation and the Stipulation of the parties, the Court **ADOPTS** the Report and Recommendation. Accordingly, the Commissioner's decision is **REVERSED** and the case is **REMANDED** to the Commissioner for further proceedings pursuant to sentence four of 42 U.S.C. § 405(g).

s/Arthur J. Tarnow

Arthur J. Tarnow

Dated: January 16, 2009

United States District Judge

I hereby certify that a copy of the foregoing document was served upon parties/counsel of record on January 16, 2009, by electronic and/or ordinary mail.

s/Catherine A. Pickles

Judicial Secretary